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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/535,089 | 09/29/2005 | Matthew White | 4245-105 | 1889 |
| 23448 7590 04/09/2008 INTELLECTUAL PROPERTY / TECHNOLOGY LAW PO BOX 14329 RESEARCH TRIANGLE PARK, NC 27709 | | | | |
| EXAMINER | | | | |
| NGUYEN, PHONG H | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3724 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 04/09/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/535,089

Applicant(s)

WHITE, MATTHEW

Examiner

PHONG H. NGUYEN

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 10-15 and 18-34 is/are pending in the application.
- 4a) Of the above claim(s) 5, 6, 8, 16, 17 and 25-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-15 and 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9-15 and 18-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Syndbad (2,756,790).

Regarding claims 1 and 2, Syndbad teaches a saw blade support 10 that can be located on a blade 16 of a saw and is capable of reducing flexing of the blade in use, at least part of the support being removable from the blade to facilitate the penetration of the blade into an article being sawn, wherein the support 10 includes attachment means 28 by which the support is pivotably attached or attachable to the saw. See Figs. 1-3.

Regarding claim 3, a handle 14 is best seen in Fig. 1.

Regarding claim 4, the handsaw is best seen in Fig. 1.

Regarding claim 9, the blade support 10 can be pivotably attached to or detached from the dull edge of the saw blade.

Regarding claims 10-12, when the blade support 10 is rested on the dull edge of the blade 16 and the blade 16 penetrates a workpiece having a thickness greater than the

width of the blade from the right end of the blade as shown in Fig. 1, the blade support 10 pivots about its left end and rests on the workpiece at its right end.

Regarding claims 13 and 14, the blade support 10 can be partially attached to the blade 16 and thus consequently partially expose the cutting edge for cutting. For example, the blade support 10 is partially pulled to the right side or the left side to partially expose the cutting edge for cutting. See Fig. 1.

Regarding claims 15 and 18, as the blade support is rested on the dull edge of the cutting blade, the blade support can pivot about the left end or the right end. For example, if a saw operator pulls up the left end, the blade support pivots about the right end.

Regarding claims 19-21, 23 and 24, support means 28 having a pair of sidewalls for reducing flexing of the blade are best seen in Fig. 3.

Regarding claim 22, a rib 30 for supporting the blade is best seen in Fig. 3.

Response to Arguments

3. Applicant's arguments filed 01/10/2008 have been fully considered but they are not persuasive.

The Applicant argues that Syndbad does not teach the blade guard 10 being pivotably attached to the dull edge of the blade in claims 1 and 2. This argument is not persuasive. First of all, the Applicant does not claim the blade guard being on the dull

edge of the blade. Second of all, the blade guard 10 is capable of being pivotably attached to the dull edge of the blade. For example, when the right end of the blade guard in Fig. 1 is attached to the right end of the dull edge of the blade, the left end of the blade guard is pivotable about the right end of the blade guard when the right end is pushed toward the blade for attaching the blade guard to the blade. Therefore, Syndbad's teaching reads on claims 1 and 2

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHONG H. NGUYEN whose telephone number is (571)272-4510. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Timothy V Eley/
Primary Examiner, Art Unit 3724

/P. H. N./

Examiner, Art Unit 3724

April 3, 2008

